

### **REMARKS**

Reconsideration and allowance of the present application are respectfully requested.

Claims 1, 2, 4-15, 18-21, 23 and 25 are pending in this application. Claims 1, 4, 18 and 23 have been amended. Claims 3, 16, 17, 22 and 24 have been cancelled. New claim 25 has been added. Claims 5-8 and 10-15 are withdrawn.

Independent claim 1 has been amended by incorporating the subject matter allowable, dependent claim 3. Claim 3 has accordingly been cancelled. Allowable dependent claim 4 has been amended to independent form by incorporating the subject matter of base claim 1. Allowable dependent claim 18 has been amended to independent form by incorporating the subject matter of base claim 1. Independent claim 23 has been amended by incorporating the subject matter of allowable claim 3. New claim 25 has been added as supported in the present application including the subject matter of claims 4 and 8 and Figure 1.

No new matter has been added.

The Examiner has stated at page 4 of the Office Action that claims 3, 4, 18 and 19 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Thus, independent claim 1 has been amended by incorporating the subject matter allowable, dependent claim 3. Allowable dependent claim 4 has been amended to independent form by incorporating the subject matter of base claim 1. Allowable dependent claim 18 has been amended to independent form by incorporating the subject matter of base claim 1.

By the above amendments, claim 1, 4 and 18 are allowable as are the claims that depend on them. Claims 2, 20 and 21 which depend upon allowable claim 1 are also allowable. Claim 9 which depends upon allowable claim 4 is allowable. Claim 19 which depends upon allowable claim 18 is allowable.

Thus, in view of the presently allowable subject matter as stated in the Office Action, the following pending claims are allowable: 1, 2, 4, 9, 18, 19, 20 and 21.

Returning to the Office Action, the applicants respectfully traverse the rejection of claim 24 under 35 USC 112, second paragraph. However, claim 24 has been cancelled thus rendering this rejection to be moot. Withdrawal of the rejection is respectfully requested.

The applicants respectfully traverse the rejection of claims 16, 17 and 22 under 35 USC 102(b) in view of any one of the following: Morita, Armanini, Grollier et al. or Andes et al. The presently claimed invention is not anticipated nor made obvious by the teachings of the cited references. However, please note that claims 16, 17 and 22 have been cancelled thus rendering this rejection to be moot. Withdrawal of the rejection is respectfully requested.

The applicants respectfully traverse the rejection of claims 1 and 21 under 35 USC 102(b) in view of EP 0918045. The presently claimed invention is not anticipated nor made obvious by the teachings of the cited reference. However, please note that as explained above claim 1 has been amended to be allowable and claim 21 depends on allowable claim 1. Accordingly, this rejection has been rendered moot. Withdrawal of the rejection is respectfully requested.

The applicants respectfully traverse the rejection of claims 1, 2, 20 and 23 under 35 USC 102(b) in view of JP 06-285358 (JP '358). The presently claimed

invention is not anticipated nor made obvious by the teachings of the cited reference. Please note that as explained above claim 1 has been amended to be allowable and claims 2 and 20 depend on allowable claim 1.

With reference to claim 23 and new claim 25, the applicants submit that these claims have been amended or newly written to be allowable in view of JP '358. With specific regard to claim 25, the recited invention relates to fine hollow particles in which laminated particles having a thickness of 0.5-1 nm, a width of 0.1-30  $\mu\text{m}$  and a length of 0.1-30  $\mu\text{m}$ , i.e., sheets in a nano-range are stuck together

JP '358 discloses spherical hollow porous particles. However, the particles do not have the structure in which nano-range sheets are stuck together as in the presently claimed invention. JP '358 does not disclose or suggest the recited feature of a nano-range sheet.

The presently claimed invention is fully allowable under both 35 USC 102(b) and 103(a) in view of JP '358.

The applicants further distinguish new claim 25 over the presently cited reference of EP 0918045 (EP' 045) with the following remarks. The object of EP '045 is to provide hollow particles. Drugs, fertilizers and the like are disclosed as uses, as described in the Abstract. Accordingly, a person of ordinary skill in the art would recognize that the size of the particles would be large. The particles are prepared by forming a ceramic layer all over the surface of the polymer particles, followed by drying and firing (see (0009)). The size of the polymer particles is 0.1-60 mm (see (0012)) and the size of ceramic raw powder is a few  $\mu\text{m}$  to several hundreds  $\mu\text{m}$  (see (0047)). These sizes are quite different from that of the presently claimed invention.

Accordingly, the applicants submit that the presently claimed invention, as recited in new claim 25, is fully allowable in view of the cited references.

In view of the above, it is believed that the present application is in condition for allowance and a Notice to that effect is respectfully requested.

Respectfully submitted,

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